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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,309	12/21/2001	Ju-Sup Lee	P-0322	3361
34610	7590	11/03/2005	EXAMINER	
FLESHNER & KIM, LLP P.O. BOX 221200 CHANTILLY, VA 20153			PEZZLO, JOHN	
			ART UNIT	PAPER NUMBER
			2662	

DATE MAILED: 11/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/024,309

Applicant(s)

LEE ET AL.

Examiner

John Pezzlo

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-4, 6-11 and 13 is/are rejected.
- 7) ☐ Claim(s) 5 and 12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. ____.  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____.   | 6) <input type="checkbox"/> Other: ____.                                    |

## DETAILED ACTION

### *Claim Objections*

I. Claims 8 and 13 are objected to because of the following informalities:

1. Regarding claim 8 - Lines 2 and 7, "ARP response packet" is confusing, examiner believes the source host transmits an "ARP **request** packet".
2. Regarding claim 13 – Examiner believes claim 13 should depend from claim 10, since claims 6 and 13 are directed to the same subject matter and claim 6 already depends from claim 10.
- 3.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

II. Claims 1-4, 6-11, and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Bare (US 5,920,699).

1. Regarding claim 1 – Bare discloses in a virtual local area network (VLAN) data switching system handling data traffic between source and destination hosts existing in different VLANS, a VLAN data switching method using an address resolution protocol (ARP) packet, characterized in that a unicast is transmitted directly between the source and destination hosts using a virtual ARP request packet, refer to Figures 3 and 5 and column 3 lines 60 to 67 and column 4 lines 1 to 42 and column 14 lines 23 to 62.

2. Regarding claim 2 – Bare discloses the virtual ARP request packet transmitted with an Internet protocol (IP) and a media access control (MAC) address of the source host included therein, refer to column 3 lines 60 to 67.

3. Regarding claim 3 – Bare discloses making a source host broadcast an ARP request packet, refer to Figure 5 and column 14 lines 23 to 39.

Bare discloses making a Proxy ARP server (switch, Figure 5 callout 506) prepare to transmit a virtual ARP request packet in accordance with the ARP request packet received from the source host, refer to Figure 5 and column 14 lines 23 to 45.

Bare discloses making a destination host transmit an ARP response packet directly to the source host through a switching unit upon the destination host receiving the virtual ARP request packet from the proxy ARP server (switch), refer to Figure 5 and column 14 lines 23 to 45.

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4. Regarding claims 4 and 11 – Bare discloses the virtual ARP request packet is transmitted with an Internet protocol (IP) address and media access control (MAC) address of the source host included therein, refer to Figure 3 and column 3 lines 60 to 67 and column 4 lines 1 to 42.

5. Regarding claims 6 and 13 – Bare discloses the ARP response packet is transmitted directly to the destination host so that the destination host includes its own Internet protocol (IP) address and its own media control (MAC) address in response to the virtual ARP request packet, refer to Figures 3 and 5 and column 3 lines 60 to 67 and column 4 lines 1 to 42 and column 13 lines 60 to 67 and column 14 lines 23 to 62.

6. Regarding claim 7 – Bare discloses the step of making a source host broadcast an ARP request packet further comprising a step of storing media access control (MAC) address of the source host in a media access control (MAC) table (ARP cache), refer to Figure 5 and column 13 lines 60 to 67 and column 14 lines 23 to 62.

7. Regarding claim 8 – Bare discloses making the source host transmit response (request) packet, refer to Figure 5 and column 13 lines 60 to 67 and column 14 lines 23 to 62.

Bare discloses storing media access control (MAC) address the destination host a media access control (MAC) table (ARP cache), refer to Figure 5 and column 13 lines 60 to 67 and column 14 lines 23 to 62.

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Bare discloses transmitting the ARP response (request) packet to the destination host direct through the switching unit, refer to Figure 5 and column 13 lines 60 to 67 and column 14 lines 23 to 62.

8. Regarding claim 9 – Bare discloses the source and destination hosts directly exchanging data packets using a MAC address stored in a MAC table (ARP cache), refer to Figure 5 and column 13 lines 60 to 67 and column 14 lines 23 to 62.

9. Regarding claim 10 – Bare discloses making a source host broadcast an ARP request packet, refer to Figure 5 and column 13 lines 60 to 67 and column 14 lines 23 to 62.

Bare discloses storing a MAC address of the source host in a MAC table (ARP cache), refer to Figure 5 and column 13 lines 60 to 67 and column 14 lines 23 to 62.

Bare discloses making a Proxy server (switch) prepare to transmit a virtual ARP request packet in accordance with the ARP request packet received from the source host, refer to Figure 5 and column 13 lines 60 to 67 and column 14 lines 23 to 62.

Bare discloses making a destination host transmit an ARP response packet directly to the source host upon the destination host receiving the virtual ARP request packet from the proxy ARP server (switch), refer to Figure 5 and column 13 lines 60 to 67 and column 14 lines 23 to 62.

Bare discloses storing a MAC address of the destination host in the MAC table (ARP cache), refer to Figure 5 and column 13 lines 60 to 67 and column 14 lines 23 to 62.

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Bare discloses making the source host transmit data directly to the destination host using MAC address the destination host, refer to Figure 5 and column 13 lines 60 to 67 and column 14 lines 23 to 62.

### ***Allowable Subject Matter***

Claims 5 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. Oguchi et al. (US 6,625,658 B1) discloses end equipment and router.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Pezzlo whose telephone number is (571) 272-3090. The examiner can normally be reached on Monday to Friday from 8:30 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou, can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C.

or faxed to:

(571) 273-8300

For informal or draft communications, please label "PROPOSED" or "DRAFT"

Hand delivered responses should be brought to:

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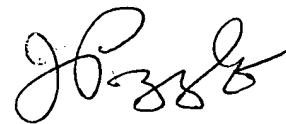
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500 Dulany Street

Alexandria, VA, 22313.

John Pezzlo

27 October 2005

A handwritten signature in black ink, appearing to read 'J. Pezzlo', with a stylized flourish at the end.

**JOHN PEZZLO**  
**PRIMARY EXAMINER**